

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

PHOENIX LICENSING, L.L.C., an Arizona Limited Liability Company, and LPL LICENSING, L.L.C., a Delaware Limited Liability Company;

Plaintiffs,

vs.

CHASE MANHATTAN MORTGAGE CORPORATION, a New Jersey corporation; JP MORGAN CHASE BANK, N.A., a Delaware corporation; CITIBANK., N.A., a national bank association; CITIBANK USA, N. A., a limited purpose credit card bank; CITIBANK (SOUTH DAKOTA), N. A., a limited purpose credit card bank; CITIMORTGAGE, INC., a New York corporation; CITIGROUP, INC. a Delaware corporation; CITI ASSURANCE SERVICES, INC., a Maryland corporation; COUNTRYWIDE HOME LOANS, INC., a New York corporation; COUNTRYWIDE INSURANCE SERVICES, INC., a California corporation; DISCOVER FINANCIAL SERVICES,, a Delaware corporation; DISCOVER BANK, a Delaware corporation; GMAC Mortgage, L.L.C. (f/k/a GMAC Mortgage Corporation), a Delaware corporation; GMAC INSURANCE MARKETING, INC., a Missouri corporation; GMAC BANK, a Utah industrial loan corporation; LIBERTY LIFE INSURANCE COMPANY, a South Carolina corporation; RESPONSE WORLDWIDE INSURANCE COMPANY, an Ohio corporation; DIRECT RESPONSE CORPORATION, a Delaware corporation; WARNER INSURANCE COMPANY, a Illinois corporation; STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY, a Illinois corporation; STATE FARM BANK, F.S.B., a Federal Savings Association; USAA Federal Savings Bank, a FEDERAL SAVINGS BANK; USAA SAVINGS BANK, a Nevada

CASE NO. 2:07-cv-387 (TJW/CE)

**Jury Trial Demanded**

corporation; UNITED SERVICES AUTOMOBILE ASSOCIATION, a reciprocal inter insurance exchange.

Defendants.

**NOTICE OF AGREED MEDIATOR**

Pursuant to the Court's instruction, Plaintiffs Phoenix Licensing, LLC and LPL Licensing, LLC and Liberty Life Insurance Company (collectively "the parties") met and conferred regarding a mediator in this matter. The parties are in agreement and hereby request that Mike Patterson, 515 S. Vine Ave., Tyler, TX 75702, (903) 592-4433, be appointed as mediator in this matter.

Respectfully Submitted,

/s/ Elizabeth L. DeRieux  
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**ATTORNEYS FOR PLAINTIFFS  
PHOENIX LICENSING, L.L.C. and  
LPL LICENSING, L.L.C.**

**CERTIFICATE OF CONFERENCE**

I certify that I have conferred with counsel for Liberty Life Insurance Company and they are in agreement with the above submission. Countrywide Home Loans, Inc. and Countrywide Insurance Services do not join this notice. Plaintiffs and Countrywide Home Loans, Inc. and Countrywide Insurance Services will continue to meet and confer and will advise the Court of their agreement promptly.

/s/ Elizabeth L. DeRieux  
Elizabeth L. DeRieux

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served this 11<sup>th</sup> day of January, 2010, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ Elizabeth L. DeRieux  
Elizabeth L. DeRieux